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Attorneys for Defendant Y THI NHU LE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,
Plaintiff,

vs.

Y THI NHU LE AND BEN VAN PHAN,
Defendants.

Case No.: 2:23-CR-00188 WBS

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

REQUESTED DATE: AUGUST 25, 2025
TIME: 9:00 AM
JUDGE: HON. WILLIAM B. SHUBB

STIPULATION

Plaintiff, United States of America, by and through its counsel of record, Heiko P. Coppola, and Defendants Y Thi Nhu Le, by and through her counsel of record, Timote Tuitavuki, and Ben Van Phan, by and through his counsel of record, Mary Ann F. Bird, (collectively, the “parties”) hereby stipulate as follows:

1. By previous order, this matter was set for status conference on May 19, 2025 at 9:00 a.m. and time was ordered excluded in the interest of justice.
2. By this stipulation, the defendants hereby move to continue the status conference to August 25, 2025 because counsel for the defendants need additional time to prepare. Specifically, defense counsel need the additional time to continue reviewing the voluminous discovery.

3. Counsel for the defendants believe that failure to grant the above requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence Government does not object to the continuance.
4. Based on the above stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original dates prescribed by the Speedy Trial Act.
5. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. section 3161, et seq, within which trial must commence, the time period of May 19, 2025 to August 25, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. 3161(h)(7)(A), B(iv)[Local Code T4], because it results from a continuance granted by the Court at the defendants' request on the basis of the Court's findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.
6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 13, 2025

Respectfully submitted,

MICHELLE BECKWITH
United States Attorney

BY: /s/ HEIKO P. COPPOLA
HEIKO P. COPPOLA
Assistant United States Attorney

Dated: May 13, 2025

 /s/TIMOTE FAKAOFO TUITAVUKI
TIMOTE FAKAOFO TUITAVUKI
Attorney for Y Thi Nhu Le

Dated: May 13, 2025

_____/s/ MARY ANN F. BIRD_____

MARY ANN F. BIRD

Attorney for Ben Van Phan

[PROPOSED] FINDINGS AND ORDER

The matter having come before the Court and for good cause appearing,

The Court hereby continues the status conference hearing to **August 25, 2025 at 10:00 A.M.** Time is excluded under the Speedy Trial Act from May 19, 2025 up to and including August 25, 2025 pursuant to 18 U.S.C. 3161(h)(7)(A), B(iv)[Local Code T4. The ends of justice outweigh the best interests of the public and the defendants in a speedy trial.

IT IS SO ORDERED.

Dated: May 14, 2025



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE